

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Ivan Teblyashkin et al.

Application No.: 09/963,659

Filed: 09/27/2001

For: COMPUTER VIRUS DETECTION

Group No.: 2137

Examiner: Schubert, K.

Mail Stop Petition

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

PETITION TO REVIVE PATENT APPLICATION—FAILURE TO PAY ISSUE
FEE UNINTENTIONAL (37 C.F.R. §§ 1.137(b) AND 1.316)

1. Applicant hereby petitions for the revival of this application.
2. Nature of the Abandonment

In the communication from the PTO mailed September 28, 2006, it was noted that this application is abandoned for failure to pay the full amount due in connection with the issue fee payment within the 3 month period from the date of the notice of allowance required by 37 C.F.R. § 1.316.

A Petition to Withdraw the Holding of Abandonment was filed on October 10, 2006. The Petition highlighted the fact that the payment of both the Issue Fee and the Publication Fee were timely submitted within 3 months of the Notice of Allowance. However, it appears that, according to PTO records, our deposit account was overdrawn by the PTO.

3. Date of Filing of This Petition After Abandonment

This petition is being filed within 1 year of the date of abandonment.

4. The delay in payment of the issue fee was unintentional. The entire delay from the due date in paying the required issue fees until the filing of this petition was unintentional. 37 C.F.R. § 1.137(b)(3).
5. Payment

A. Issue Fee is paid herewith

Utility Patent Issue Fee \$1,400.00

B. Publication Fee (' 1.18(d)) is paid herewith

\$0.00 (Paid 6/28/2006)

6. Petition fee (35 U.S.C. § 41(a)(7) and 37 C.F.R. § 1.17(m))

Application status is:

Other than small entity--fee \$1,400.00

Petition Fee	\$1,500.00
Total issue and petition fee to be paid	\$2,900.00

7. Payment of total fee:

Authorization is hereby made to charge the amount of \$3,200.00 to Deposit Account No. 50-1351 (Order No. NA11P460).

Charge any additional fees required by this paper or credit any overpayment in the manner authorized above.

8. Showing Required When Petition Being Filed Is More Than 3 Months From Notification of Abandonment or More Than 1 Year After Abandonment

Because this petition is more than 3 months after the date the Office first notified the applicant that the application is abandoned, applicant additionally submits a showing as to how the delay between the date the applicant was first notified that the application was abandoned and the filing of this petition under 37 C.F.R. § 1.134(b) was unintentional. 62 Fed. Reg. 53,131, 53,159 (Oct. 10, 1997). See M.P.E.P. Section 711.03(c), 8th Edition, Rev. 2.

Appendix A is a copy of the Issue Fee as originally Submitted on June 28, 2006.

Appendix B is a copy of the Petition to Withdraw Holding of Abandonment filed October 10, 2006.

Appendix C is a copy of the Decision on Petition mailed April 16, 2007.

9. Terminal Disclaimer

This utility/plant application was filed on or after June 8, 1995 and no terminal disclaimer is required.

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